IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL SIDE JURISDICTION

CHAMBER SUMMONS NO.547 OF 2004
IN
SUIT NO.185 OF 2003

Sanjeev Purshottamlal Kartwala ...Plaintiff
Vs.
Purshottamlal Kartiwala & Ors. ...Defendants

None present

CORAM: ROSHAN DALVI, J.
DATED: 19TH DECEMBER, 2005

P.C.

. Parties and Advocate absent. This chamber summons has been taken out on 25th March 2004 which is not yet shown to be served upon the Defendants or the Respondents Bank. The Plaintiff shown in the chamber summons is actually the father of the Plaintiff, the minor shown as the Plaintiff in the Plaint. The Plaintiff claims 1/3 share in the property standing in the name of Defendant no.1 and mortgaged by the Defendants to the Respondent Bank to obtain loan, for recovery of which, proceedings have been adopted by Respondents against the Defendants in the Debt Recovery Tribunal. It would have been material to hear the Respondent before passing any order in this Chamber Summons. The Respondent is not yet served though 20 months have transpired after the chamber summons was taken out.

. Chamber Summons is dismissed.

(ROSHAN DALVI, J.)